

Faith and the Just War: Time to Think Again?

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In the last five years since the invasion of Iraq in March 2003, the argument about its justification has never stopped. But George Wilkes argues here that a debate drawing only on the Christian ethical tradition has neglected the principles of justice in war that are to be found in the traditions of other faiths, which might help in opening dialogue and building understanding.

Sadly, the recurrent European and American debates over justifications for the Iraq war, focused squarely on a Christian or post-Christian ‘just war theory’, have rarely engaged with a multifaith perspective which might better explain how differences over justified armed conduct in war have developed between and within faiths. This article explores what we might expect from engaging with competing ethical and religious understandings of the problems involved in justifying the use of force. To the extent that this interreligious context provides a basis for common judgements about the use of force, it could still make a difference, even in a confrontation already exacerbated by asymmetries of force and of political objective.

Religion, culture and war

Since Greek times, self-interest has competed with fanatical religion as an explanation for war – both motives to risk all in the pursuit of glory and personal freedom rather than compromise and attempt to affect change through peaceful persuasion. Our writers keep a sense of the tragic salience of belief and greed alive in our cultural accounts of war, following this classical model: while victory in war ultimately lies in the hands of the fates, religion is still invoked in the ultimate sacrifice made by the soldier, and arguments from self-interest move the statesman, now in the form of *raison d'état* and, sometimes, of electoral need. Fear,



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in this deeply-embedded Western cultural vision of war, propels the sense of compelling necessity on the part of statesman and citizen-soldier alike. Fear defines the sense that war is unavoidable and uncontrollable, though, in the works of Cicero, Herodotus, and Thucydides, reasoned justifications for limited armed combat are also joined to that sense of fear like twins.

Read one of the weightier accounts of the development of just war theory and this ancient framework looms large. Read a popular application of just war theory to the Iraq war, and the classical heritage disappears from view, surviving in the hints of a scholar-apologist like George Weigel, for whom just war theory is essentially about those great classical virtues prudence and statecraft. In the words of the Catholic Bishops of the USA, the use of just war reasoning does not circumvent the differences of perception or of value which make wars so difficult to resolve. Fighting the pessimist's conclusion that making war is ultimately a response to necessity – simply the product of ineluctable external forces – just war theorists seek to identify the space in which moral decisions can be made. Nevertheless, as Jean Bethke Elshtain has noted, the moralist is as vulnerable as the realist to the vicissitudes of history. If Iraq descends into civil war, then in her view the decision to invade will have been proven both unwise and wrong.

Where, in spite of this, a potted account of just war theory focuses instead on the demands of law, justice and salvation, Christians, Jews and Muslims alike have tended to discuss their approaches to war as if they bore no relation to each other – even to contrast their theological understandings of the religious meaning of death in war, separating their notions of justice in war still further. Compounding this further, the notion of a legal ideal competes in our histories with visions of the religious other as unamenable to argument, prey to a fearful and peculiarly religious irrationalism, or to a culture of force, terror and death. In the Mehdi Army, the West sees an apocalyptic Shia terrorism; in the US Army, Islamists perceive the predatory lawlessness of the Byzantines and the Crusaders. It is quite possible instead to trace comparable developments which have militated in favour of limiting war in the three traditions. Augustine's understanding finds many parallels in the Judaism of his time, and in key teachings about war within early Islam. The more developed account of justice in war advanced by Aquinas is closely paralleled by those of his more philosophically-inclined Jewish and Muslim contemporaries who held comparable conceptions of natural law, views which are 'Western' by any definition of the term. The founders of modern, secular international law – Grotius, in particular – drew deliberately on teachings about war from the different classical religious traditions, seeing them as evidence of the natural foundations of this law. Today, by contrast, the notion of a shared compulsion to limit war appears more idealistic than natural.

There have been, of course, many differences between Christian and Muslim justifications for war, just as there have been between Catholics and just war theorists from the Protestant and Orthodox Christian churches. In the ongoing public debate over Iraq, these differences have played remarkably little role: while each Church has been divided between supporters and opponents of the invasion and of Western armed conduct in Iraq, the denominational differences have not been a focus of contention. It is not the case that American and European scholars are unaware of the long relationship between Christian, Jewish and Muslim

traditions of limiting war – in debate, however, this is treated as old history and ignored. What if the Iraq War were perceived not as a transcultural war but rather, as Colonel Tim Collins told his forces on entering Iraq in 2003, as a war to liberate a people whose long history and culture lay at the core of our own civilization – would American Christians and Iraqi Muslims who held this in mind be just as capable of breaching the laws of war? To address this we must revisit the reasons for which legal experts in mainstream contemporary Christian, Muslim, Jewish and other traditions have identified a justified war with military restraint, even when fighting against lawless aggression.

Reasons for limiting war

The debate over Iraq has polarized Christians between those who see war as a legitimate instrument of justice, and those who argue that it may only be contemplated as a defensive necessity. Jewish and Muslim scholars tend to divide over the use of force – in Israel-Palestine, for instance – on similar lines. In terms of the debate over the Iraq war, scholars and religious leaders have repeatedly returned to the notion that they are divided over whether the just war tradition implies a presumption against the use of force unless absolutely necessary, or a presumption in favour of armed force if it is needed. Beyond this division lies another dynamic element in just war thinking less evident in the apologetics of just war theorists in either camp, but more evident when scholars from a wider range of traditions ask when war is justified.

It is not easy to arrive at a steady policy on the use of force which depends on either necessity or strict justice alone. Behind the preference for a version of just war theory which focuses on justice, lies the notion that force is a political tool, a tool which is communicative as well as militarily effective. The justified use of force teaches object lessons, it punishes, and it establishes a normative basis for political community, for a community of values. Common to the medieval philosophers of Christianity, Islam and Judaism, this view of war is now shared by secular just war apologists too. In this view, war is an expression of values: particularly

of an inflexible opposition to aggression or the abuse of human rights. Against this, the view that war ought only to be embarked upon out of absolute necessity draws strength from the sense that war is evidence of the breakdown of politics, not a tool of political aims nor for communicating political values. Muslims, Jews and Christians alike have read this into their Scriptures, sometimes arguing that force lies beyond the reach of law, sometimes upholding a strict pacifism, but more often arguing on pragmatic grounds for alternatives to the use of force, and for steadfastness in the face of adversity. In the debate over the Iraq War, critics have lambasted this latter approach as a pacifism masquerading as the mainstream tradition, implying a rigid ideology incapable of a pragmatic grasp of the reasons for a limited just war. The debate over Iraq has increasingly turned on polemics in which pragmatism is deemed to lie at the centre of the Western just war tradition.

The pragmatics of a transcultural understanding aimed at limiting war

With scholars within each tradition divided amongst each other on so many levels, the prospects for any meaningful agreement across parties in a conflict like that in Iraq are far from self-evident. Nevertheless, to the extent that pragmatism is characteristic of many, if not most, just war theories, theorists need not be irreducibly opposed or divided, even where they inhabit different cultures and religions.

A key feature of Western and Christian just war theory, shared by its Jewish and Muslim equivalents, is the famous separation of *jus ad bellum* and *jus in bello*: respecting justice in the decision to make war, and then fighting a war lawfully and justly. In response to the prolonged debate over Western occupation of Iraq, just war theorists have also identified a third, independent realm in which the application of justice is demanded, in making peace: *jus post bellum*. There are naturally relationships between the justification for making war, the terms on which combatants meet in the war that follows, and the bases on which a peace can be said to be moral. Scholars may also choose to

prioritise one area over another: thus, it is commonly said that decisions about how to deploy force in war must be congruent with the prior justification for making war, and if there is no adequate justification for a war then it is a bad war which cannot be said to have been fought blamelessly. Nevertheless, to those scholars like Michael Walzer for whom it is important that all three realms of the making of a just war are independent, soldiers cannot be blamed for flaws in a government's decision to go to war; and a pacifist who opposed a war might justifiably argue that success in the war must be followed by a responsible occupation, rather than a quick withdrawal (as Walzer has done in respect of Iraq). In this pragmatic vein, it makes moral sense for an opponent of the use of force in Iraq to hope that, if armed force will be used, it will have good side effects, as the Dalai Lama and many Catholic leaders publicly hoped. Similarly, according to the Muslim scholar Sohail Hashmi, Muslims who saw the war as unjust ought not to abandon Iraqis to occupation and terrorism when they could support the process of national reconciliation and stabilisation better than the Americans: adaptation to the realities of the invasion is not recognition of the justice of that invasion.

For any assessment of the prospects of understanding across the bitter divides in the Middle East and between the Arab, American and European populations, it is important to note the extent to which this pragmatism, or realism, can and does coexist with extremely idealistic and ideological approaches to war, including to wars ostensibly about religion. Far from eliminating realism, the apocalyptic discourse of some Shia fundamentalists and of prominent American Evangelicals rests on the very same dire pessimism which among secular Westerners is presented as realism. As John Kelsay has noted in relation to Sunni extremists, this pessimism is couched in arguments and given justifications, and there is therefore a basis for argument with it. If this is so, then the breakdown of understanding in relation to *jus ad bellum* need not automatically entail breaches of *jus in bello* – the torture or slaughter of prisoners, hostage taking and abuse of civilians represent specific failures to

establish a common understanding about rules in war, not an inevitable response to a war fought without mutually accepted grounds for making war.

Religion might sometimes have to take a back seat in a dialogue aiming to overcome the level of distrust that exists between those on the different sides of this conflict. And religious representatives cannot take the place of political or military figures in judging the practical demands of their respective tasks. However, a serious attempt to establish trust, or to 'win hearts and minds' in the strategists' somewhat hopeful formulation, is unlikely to make great headway without broaching the assumptions on either side about the pictures they have of the other's culture and religion. Those parties who bring to the dialogue an awareness of the breadth

and diversity of the just war tradition, within their religious community or across communities, have a tremendously important contribution to make. They bear witness to the possibility of a response to the complexities of war which is sincere and yet capable of being pragmatic, rather than rigid or simplistic; and which acknowledges that we are often drawn into justifying wars, in one respect or another, even where we deeply wish it were otherwise.

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